

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

JOINTLY ADMINISTERED UNDER  
CASE NO. 10-38652

DUKE AND KING ACQUISITION CORP.,

Court File No. 10-38652

Debtors.

Court File Nos:

(includes:

Duke and King Missouri, LLC;  
Duke and King Missouri Holdings, Inc.;  
Duke and King Real Estate, LLC;  
DK Florida Holdings, Inc.)

10-38653 (GFK)  
10-38654 (GFK)  
10-38655 (GFK)  
10-38656 (GFK)

Chapter 11 Cases  
Chief Judge Gregory F. Kishel

ORDER AND NOTICE FOR HEARING ON CONFIRMATION OF PLAN

A Second Amended Disclosure Statement under Chapter 11 of the Bankruptcy Code has been filed by **Duke and King Acquisition Corp. and associated Debtors and the Official Committee of Unsecured Creditors**, the proponents, on August 8, 2011, referring to a Second Amended Joint Chapter 11 Plan of Liquidation filed on August 8, 2011.

The court has determined that the Second Amended Disclosure Statement contains adequate information. Therefore,

**IT IS ORDERED, AND NOTICE IS HEREBY GIVEN, THAT:**

1. **Approval of Disclosure Statement.** The Second Amended Disclosure Statement of the proponents dated August 8, 2011, regarding the Second Amended Joint Chapter 11 Plan of Liquidation of the proponents dated August 8, 2011, is approved.

2. **Confirmation Hearing.** A hearing to consider confirmation of the Second Amended Joint Plan will be held on **September 26, 2011 at 1:30 p.m.**, in Courtroom 2A, U.S. Courthouse, 316 North Robert Street, St. Paul, MN 55101. The hearing may be continued by notice at the hearing, without further written notice.

3. **Objections to Confirmation.** Seven days prior to the confirmation hearing is fixed as the last day to timely deliver an objection to confirmation of the plan, and ten days prior to the hearing is the last day to timely mail an objection. Under Loc. R. Bankr. P. (D. Minn.) 3020-1, objections shall be made by motion. The objection must be filed not later than one day after service.

4. **Ballots to Accept or Reject Plan.** Five days prior to the confirmation hearing is fixed as the last day to timely file ballots to accept or reject the proponent's plan. Unless otherwise ordered, the proponent's attorney and the unsecured creditors' committee's attorney shall jointly count the ballots and file a report of tabulation not later than 24 hours before the confirmation hearing.

NOTICE OF ELECTRONIC ENTRY AND  
FILING ORDER OR JUDGMENT  
Filed and Docket Entry made on **08/10/2011**  
Lori Vosejka, Clerk, By AML, Deputy Clerk

5. ***Mailing of Notice, Copies and Ballots.*** Not less than twenty eight (28) days prior to the confirmation hearing, the proponents under supervision of their attorneys shall prepare and mail pursuant to Loc. R. Bankr. P. (D. Minn.) 3017-1(a) - (b), and in accordance with the clerk's instructions, appropriate copies of this order and notice, letters of transmittal if any, the approved official form ballot, the approved disclosure statement, and the plan, to the entities specified in Loc. R. Bankr. P. (D. Minn.) 9013-3, all creditors, all equity security holders, and all other parties in interest. The proponents are authorized to serve the approved disclosure statement and plan in an electronic format on a compact disk.

BY THE COURT:

*/s/ Gregory F. Kishel*

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GREGORY F. KISHEL  
CHIEF UNITED STATES BANKRUPTCY JUDGE

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